

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CHAMBERS
U.S.D.C. - Atlanta

JUN 15 2021

By: James N. Hatten, Clerk
Deputy Clerk

UNITED STATES OF AMERICA

v.

EMANUEL GRAY

Criminal Indictment

No. 1:18-CR-487-SCJ-JFK

SECOND SUPERSEDING

THE GRAND JURY CHARGES THAT:

COUNT ONE

**(Production and Attempted Production of
Child Pornography - Minor Female "C.W.")**

Beginning in or about May 2017, and continuing until on or about November 14, 2018, in the Northern District of Georgia and elsewhere, the defendant, EMANUEL GRAY, did knowingly, and knowingly attempt to, employ, use, persuade, induce, entice, and coerce "C.W.," a minor female, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that said visual depiction would be transported and transmitted using any means and facility of interstate commerce, including by computer and cellular telephone, and said visual depiction was transported and transmitted using any means and facility of interstate commerce, including by computer and cellular telephone, in violation of Title 18, United States Code, Sections 2251(a) and (e).

COUNT TWO
(Cyber Stalking – Minor Female “C.W.”)

Beginning in or about August 2017, and continuing until on or about November 14, 2018, in the Northern District of Georgia and elsewhere, the defendant, EMANUEL GRAY, did knowingly, with intent to harass and intimidate a person in another state, that is, “C.W.,” a minor female residing in the state of Texas, use an interactive computer service and an electronic communication system of interstate commerce, and any other facility of interstate and foreign commerce, including via *Instagram*, *Facebook*, and electronically transmitted text messages, to engage in a course of conduct that caused, attempted to cause, and would be reasonably expected to cause, substantial emotional distress to “C.W.,” all in violation of Title 18, United States Code, Sections 2261A(2)(B) and 2261(b).

COUNT THREE
(Production and Attempted Production of
Child Pornography – Minor Female “S.S.”)

In or about August 2018, in the Northern District of Georgia, the defendant, EMANUEL GRAY, did knowingly, and knowingly attempt to, employ, use, persuade, induce, entice, and coerce “S.S.,” a minor female, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that said visual depiction would be transported and transmitted using any means and facility of interstate commerce, including by computer and cellular telephone, and said visual depiction was transported and transmitted using any means and facility of

interstate commerce, including by computer and cellular telephone, in violation of Title 18, United States Code, Sections 2251(a) and (e)

COUNT FOUR
(Cyber Stalking - Minor Female "S.S.")

In or about August 2018, in the Northern District of Georgia, the defendant, EMANUEL GRAY, did knowingly, with intent to harass and intimidate a person, that is, "S.S.," a minor female residing in the state of Georgia, use an interactive computer service and an electronic communication system of interstate commerce, and any other facility of interstate and foreign commerce, including via *Instagram*, *Facebook*, and electronically transmitted text messages, to engage in a course of conduct that caused, attempted to cause, and would be reasonably expected to cause, substantial emotional distress to "S.S.," all in violation of Title 18, United States Code, Sections 2261A(2)(B) and 2261(b).

COUNT FIVE
(Possession of Child Pornography)

On or about November 14, 2018, in the Northern District of Georgia, the defendant, EMANUEL GRAY, knowingly possessed at least one electronic device, which contained at least one visual depiction of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), said depiction having been produced using a minor engaging in sexually explicit conduct, and having been shipped and transported using any means or facility of interstate commerce and having been produced using materials which had been shipped and transported in and affecting interstate and foreign

commerce, in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and (b)(2).

Forfeiture

Pursuant to Title 18, United States Code, Section 2253(a), upon conviction of any offense charged in Counts One, Three, and Five of this Second Superseding Indictment, the defendant, EMANUEL GRAY, shall forfeit to the United States of America:

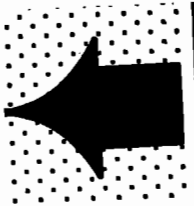
1. All visual depictions described in Title 18, United States Code, sections 2251, 2251A, and 2252, and all books, magazines, periodicals, films, videotapes, and other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
2. All property, real and personal, constituting, and traceable to gross profits and other proceeds obtained from the offenses; and
3. Any property, real and personal, used and intended to be used to commit or to promote the commission of the offenses.

If any of the property described above, as a result of any act or omission of the defendant, EMANUEL GRAY:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).



A

TRUE
[Signature]
FOREPERSON

BILL

KURT R. ERSKINE
Acting United States Attorney

[Signature]
ALEX SISTLA
Assistant United States Attorney
Georgia Bar No. 845602

S. Davis (KRS G. S. Davis)
SKYE DAVIS
Assistant United States Attorney
Georgia Bar No. 564709

600 U.S. Courthouse
75 Ted Turner Drive SW
Atlanta, GA 30303
404-581-6000; Fax: 404-581-6181

U.S. Department of Justice
United States Attorney

June 15, 2021

Date Submitted

U.S.D.C. - Atlanta

FILED IN CHAMBERS

JUN 15 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

By: James N. Hatten, Clerk
Deputy Clerk

UNITED STATES OF AMERICA

Indictment/Information

v.

1:18-CR-487-SCJ-JFK

EMANUEL GRAY

June 15, 2021

Date of Indictment

REQUEST FOR ARRAIGNMENT - In Marshals Custody

Emanuel Gray, 72002019

(Name)

Robert A. Deyton

(Institution)

June 11, 2021

(Date Verified)

ATTORNEY FOR DEFENDANT

Victoria Marie Calvert

(Name)

101 Marietta Street, N.W.

Centennial Tower, Atlanta, Georgia 30303

(Address)

X SUPERSEDING INDICTMENT

X COMPANION CASE with Indictment No. CR 1:18-MJ-01100-1

Alex R. Sistla

Assistant U.S. Attorney

U.S. Department of Justice
United States Attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

Division: Atlanta
(USAO: 2018R01041)

FILED IN CHAMBERS
U.S.D.C. - Atlanta

JUN 15 2021

By: James N. Hatten, Clerk
Deputy Clerk

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION

COUNTY NAME: Fulton

DISTRICT COURT NO. 1:18-CR-487-SCJ-JFK

MAGISTRATE CASE NO. 1:18-MJ-01100-1

X Indictment
DATE: June 15, 2021

Information
DATE:

X Magistrate's Complaint
DATE: November 14, 2018

UNITED STATES OF AMERICA
vs.
EMANUEL GRAY

SECOND SUPERSEDING INDICTMENT
Prior Case Number: 1:18-CR-487-SCJ-JFK
Date Filed: December 12, 2018

GREATER OFFENSE CHARGED: X Felony Misdemeanor

Defendant Information:

Is the defendant in custody? X Yes No

Is the defendant in custody on this charge or other conviction? On this charge

Is the defendant awaiting trial on other charges? Yes X No

Other charges:

Name of institution:

Will the defendant require an interpreter? Yes X No

District Judge: Steve C. Jones
Magistrate Judge: Janet F. King

Attorney: Alex R. Sistla
Defense Attorney: Victoria Marie Calvert

CRIMINAL CHARGES FILED

Today's Date: June 11, 2021

Date Charges Filed: June 15, 2021

USAO #: 2018R01041

Caption: U.S. v. Gray

Under Seal? No

Court Number: 1:18-CR-487-SCJ-JFK

PSN Case: No

Charge Type: Supr. Indictment 2

Felony

District/Magistrate Judge: Steve C. Jones

Defendant Information:

Emanuel Gray

Arraignment Request

Charge:	Count:
18§2251(a) and (e)	1,3
Charge:	Count:
18§2261A(2)(B) and 2261(b)	2, 4
Charge:	Count:
18§2252(a)(4)(B) and (b)(2)	5

Victim Information:

Does this matter have victims? Yes

Are there organizational victims? No

Prepared By: Nancy Blandford

Attorney: Alex R. Sistla, Assistant U.S. Attorney

[IF OCDETF Case= Yes Then

REMINDER: Forward copy of indictment and this form to OCDETF Assistant